

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

SAMUEL H. WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	No. 08-4218-CV-C-NKL
)	
MAUSEEN SAUBLE,)	
)	
Defendant.)	

ORDER

On June 23, 2009, United States Magistrate Judge William A. Knox recommended dismissing plaintiff's remaining claims. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record, including the exceptions filed by plaintiff on August 7, 2009. The issues raised in plaintiff's exceptions were adequately addressed in the report and recommendation. Plaintiff's mail from the court that was opened outside of his presence appears to have been an isolated event or events. Further, mail from the court would have been public documents, and plaintiff has not identified a case in which he was actually prejudiced. A general recital that his cases were closed because of defendants' actions is insufficient to state a claim, absent facts showing it is plausible the cases were closed because of mail being opened or that defendant Sauble intentionally withheld documents which required a timely response. The court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that the June 23, 2009 Report and Recommendation is adopted. [40] It is further

ORDERED that defendant's motion of November 25, 2008, is granted and plaintiff's claims are dismissed for failure to state a claim. [9]

Nanette Laughrey

NANETTE K. LAUGHREY
United States District Judge

Dated: 8-21-09
Jefferson City, Missouri